

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JEREMY LEVIN and DR. LUCILLE LEVIN,

:
Plaintiffs, : Case No. 09 Civ. 5900 (RPP)

:
-against-

BANK OF NEW YORK, JPMORGAN
CHASE, SOCIETE GENERALE and
CITIBANK,

:
Defendants.

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THE BANK OF NEW YORK MELLON,
JPMORGAN CHASE BANK, N.A., :
SOCIÉTÉ GÉNÉRALE and
CITIBANK, N.A., :

:
Third-Party Plaintiffs, :

:
-against-

STEVEN M. GREENBAUM, STEVEN M. :
GREENBAUM (as administrator of the estate
of JUDITH GREENBAUM), ALAN D. :
HAYMAN, SHIRLEE HAYMAN, *et al.* :

:
Third-Party Defendants.

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**ANSWER TO CROSSCLAIMS FILED BY
THE PETERSON JUDGMENT CREDITORS**

Third-Party Defendants Steven M. Greenbaum (sued individually and as administrator of the estate of Judith Greenbaum), Alan D. Hayman and Shirlee Hayman (collectively, the “Greenbaum Judgment Creditors”) and Carlos Acosta, Maria Acosta, Tova Ettinger, Irving Franklin (on his own behalf and as Administrator of the Estate of the late Irma Franklin), Baruch Kahane, Libby Kahane (on her own behalf and as Administratrix of the Estate of the late Meir Kahane), Ethel J. Griffin (as Administratrix of the Estate of the late Binyamin Kahane), Norman

Kahane (on his own behalf and as Executor of the Estate of the late Sonia Kahane), and Ciporah Kaplan (collectively, the “Acosta Judgment Creditors”), by their undersigned attorneys, for their Answer to the Crossclaims brought by Third-Party Defendants Deborah D. Peterson, Personal Representatives of the Estate of James C. Knipple (Dec.), and all of those Plaintiffs and Judgment Creditors (hereinafter the “Peterson Judgment Creditors”) in the action entitled *Deborah D. Peterson, Personal Representatives of the Estate of James C. Knipple (Dec.), et al. vs. Islamic Republic of Iran, et al.* (D.D.C.), Consolidated Civil Actions 01-2094 (RCL) and 01-2684 (RCL) (the “Crossclaims”), allege as follows:

1. Deny knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraphs 1, 3, 4, and 6 of the Crossclaims.
2. Deny the allegations contained in paragraphs 2, 5, 7 and 8 of the Crossclaims.

FIRST AFFIRMATIVE DEFENSE

The Greenbaum Judgment Creditors and Acosta Judgment Creditors’ claims are superior as a matter of law to those of the Peterson Judgment Creditors.

SECOND AFFIRMATIVE DEFENSE

The Peterson Judgment Creditors’ writ of execution is defective as a matter of law.

THIRD AFFIRMATIVE DEFENSE

The Greenbaum Judgment Creditors and Acosta Judgment Creditors have superior rights to the assets in question for the reasons set forth in the counterclaims they have asserted in this action, which allegations are incorporated by reference in this affirmative defense.

FOURTH AFFIRMATIVE DEFENSE

The Crossclaims should be dismissed as defective because they fail to specifically identify against whom relief is sought.

The Greenbaum Judgment Creditors and Acosta Judgment Creditors reserve their rights to assert additional affirmative defenses that may become apparent after additional discovery or otherwise.

WHEREFORE, the Greenbaum Judgment Creditors and Acosta Judgment Creditors respectfully request that the Court enter judgment in their favor and against the Peterson Judgment Creditors dismissing the Crossclaims with prejudice and awarding them costs and such other relief as the Court deems appropriate.

Dated: New York, New York
July 26, 2010

STROOCK & STROOCK & LAVAN LLP

By: _____ /s/
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